

AMENDMENT TO THE CLAIMS

This listing of claims shall replace all prior versions and listings of claims in the application:

1. (Currently amended) An automated auction and tender system for effecting electronic transactions between a tender initiator and a tender recipient ~~a tender recipient to respond to at least one tender created by a tender initiator, wherein the at least one tender is provided for a complex multi-variable commodity including at least one term, comprising:~~

a storage device for storing data which relates to ~~the~~ at least one ~~term~~ tender of a multi-variable commodity having at least one term of the at least one tender; and,

a processing device for generating at least one tender, created by said tender initiator, wherein said at least one tender having an exception request which permits a change to said at least one term of said multi-variable commodity;

a processing communication network device for transmitting information, corresponding to the said stored data at least one tender, the to said tender recipient,

said processing communication network device further configured for receiving a request from the said tender

recipient to change said at least one term of ~~the~~ said at least one tender,

wherein said at least one term that is changed is requested by said tender recipient only if said exception request permits a change when said at least one tender is generated by said tender initiator,

wherein ~~the~~ said at least one term of ~~the~~ said at least one tender that is changed relates to a physical characteristic of the complex multi-variable commodity.

2. (Canceled)

3. (Canceled)

4. (Original) The system according to claim 1, wherein the processing device executes a program on a remote device.

5. (Original) The system according to claim 1, wherein the storage device includes a database storing data which is related to the at least one tender.

6. (Original) The system according to claim 5, wherein the database is a relational database.

7. (Canceled)

8. (Previously presented) The system according to claim 1, wherein the processing device:

receives the stored data,
analyzes the stored data, and
transmits the information to a further processing device,

wherein the information is transmitted in response to the received data.

9. (Original) The system according to claim 1, wherein the processing device at least one of transmits and receives the information electronically via the Internet.

10. (Original) The system according to claim 1, wherein the processing device at least one of transmits and receives information electronically via a network of further processing devices.

11. (Currently amended) A computer-implemented method for ~~a tender recipient to respond to at least one tender created by a tender initiator, wherein the at least one tender is provided for a complex multi-variable commodity including at least one term~~ effecting electronic

transactions between a tender initiator and a tender recipient, comprising the steps of:

storing, via a storage device in communication with the tender initiator, data which relates to at least one tender of a multi-variable commodity having at least one term;

~~receiving data for the at least one term of the at least one tender via a network of processing devices;~~

generating, via a processing device in communication with a network server, the at least one tender by the tender initiator, wherein the at least one tender having an exception request which permits a change to the at least one term of the multi-variable commodity;

transmitting, via a communications network, information corresponding to the ~~received data~~ at least one tender to a ~~device~~ the tender recipient; and

receiving, via the communications network, a request from the tender recipient to change the at least one term,

wherein the at least one term that is changed is requested by the tender recipient only if the exception request permits a change when the at least one tender is generated by the tender initiator,

~~accepting input from the tender recipient for generating an exception to change a term of the at least one tender,~~

wherein the at least one term of the at least one tender that is changed by the exception relates to a physical characteristic of the complex multi-variable commodity.

12-14. (Canceled)

15. (Currently amended) A method for a tender recipient to respond to at least one tender created by a tender initiator, ~~wherein the at least one tender is provided for a complex multi-variable commodity including at least one term,~~ comprising the steps of:

~~receiving and transmitting data for the at least one term of the at least one tender via the Internet,~~ via the communications network in communication with the tender recipient, at least one tender for a multi-variable commodity having at least one term, wherein the at least one tender having an exception request, and wherein the exception request permits a change to the at least one tender;

~~transmitting information corresponding to the received data to a device,~~ via the communications network in communication with the tender recipient, a request to change the at least one term of the multi-variable commodity; and

~~accepting input from the tender recipient for~~
~~generating an exception to change a term of the at least~~
~~one tender, via the communications network in communication~~
~~with the tender recipient, the request by the tender~~
~~initiator to change the at least one term of the multi-~~
~~variable commodity,~~

wherein the at least one term that is changed is
requested by the tender recipient only if the exception
request permits a change when the at least one tender is
received by the tender initiator,

wherein the at least one term of the at least one
tender that is changed by the exception relates to a
physical characteristic of the complex multi-variable
commodity.

16. (Canceled)

17. (Currently amended) A system for utilizing at least
one tender created by a tender initiator, ~~wherein the at~~
~~least one tender is provided for a complex multi-variable~~
~~commodity including at least one term,~~ comprising:

a storage device for storing data which relates to ~~the~~
said at least one term of the said at least one tender for
a complex multi-variable commodity, wherein said at least
one tender having an exception request permitting a change

to said at least one term of said multi-variable commodity;
and

a processing device for transmitting and receiving information corresponding to ~~the~~ said stored data, wherein ~~the~~ said processing device at least one of transmits and receives ~~the~~ said information corresponding to ~~the~~ said stored data electronically via ~~the~~ an Internet, and receiving a request from a tender recipient to change a term of ~~the~~ said at least one tender, wherein said processing device receives said request from said tender recipient only if said exception request is transmitted with said at least one tender,

wherein ~~the~~ said term of ~~the~~ said at least one tender that is changed relates to a physical characteristic of ~~the~~ said complex multi-variable commodity.

18. (Canceled)

19. (Original) the system according to claim 17, wherein the processing device executes a program on a remote device.

20. (Original) The system according to claim 17, wherein the storage device includes a database storing data which is related to the at least one tender.

21. (Original) The system according to claim 20, wherein the database is a relational database.

22. (Previously presented) The system according to claim 17, wherein the processing device:

receives the stored data,

analyzes the stored data, and

transmits the information to a further processing device, wherein the information is transmitted in response to the received data.

23. (Canceled)

24. (Original) The system according to claim 17, wherein the processing device at least one of transmits and receives information electronically via a network of further processing devices.

25. (Canceled)

26. (Currently amended) A method for utilizing at least one tender created by a tender initiator, ~~wherein the at least one tender is provided for a complex multi-variable~~

~~commodity including at least one term~~, comprising the steps of:

receiving, ~~data~~ via a network of processing devices in communication with a tender initiator, data for the at least one term of the at least one tender, wherein the at least one tender is provided for a complex multi-variable commodity;

transmitting, ~~information~~ via the communications network, the at least one tender corresponding to the received data; and, wherein the at least one tender having an exception request;

accepting, via the network of processing devices in communication with the tender initiator, from a tender recipient a request from the tender recipient for an exception to change the at least one term of the at least one tender,

wherein the at least one term is changed by only if the exception is transmitted by the tender initiator,

wherein the at least one term of the at least one tender that is changed by the exception relates to a physical characteristic of the complex multi-variable commodity.

27. (Canceled)

28. (Original) The method according to claim 26, wherein the data is at least one of received and transmitted electronically via the Internet.

29-37. (Canceled)

38. (Previously presented) The system according to claim 17, further configured to enable the tender initiator to reject the exception.

39. (Previously presented) The method according to claim 26, further comprising: enabling the tender initiator to reject the exception.

40. (Canceled)